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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 10-0914 TEH
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER
)	EXCLUDING TIME UNDER 18 U.S.C. § 3161
v.)	
)	
ABEL RUBIO-LARA,)	
)	
Defendant.)	
_____)	

The parties appeared for the pretrial conference before the Court on August 8, 2011.

With the agreement of counsel for both parties, the Court found and held as follows:

1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from August 8, 2011 to September 27, 2011. The basis for said exclusion is continuity of counsel and for effective preparation of counsel. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation of counsel, taking into account the exercise of due diligence.

2. Given these circumstances, the Court found that the ends of justice served by excluding the period from August 8, 2011 to September 27, 2011, outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

3. Accordingly, and with the consent of the defendant, the Court ordered that the period from August 8, 2011 to September 27, 2011, be excluded from the Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

SO STIPULATED:

MELINDA HAAG
United States Attorney

DATED: August 30, 2011

/s/

 PATRICIA SPALETTA
 Special Assistant United States Attorney

DATED: August 30, 2011

/s/
RONALD TYLER
Assistant Federal Public Defender

SO ORDERED.

DATED: 09/01/2011

